

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

**THOMAS GADDIS,**

**Plaintiff,**

**V.**

**LAURIE ANDRIJESKI, et al.,**

## Defendants.

**Case No. 1:16-cv-00682-VEH-JEO**

# MEMORANDUM OPINION

The plaintiff has filed a *pro se* final amended complaint pursuant to 42 U.S.C. § 1983, alleging violations of his rights under the Constitution or laws of the United States. (Doc. 20). On November 22, 2016, the magistrate recommended that

this action be **DISMISSED WITHOUT PREJUDICE**, pursuant to 28 U.S.C. § 1915A(b)(1) and (2), for failing to state a claim upon which relief can be granted, and for asserting monetary claims against a defendant who is immune from such claims.

(Doc. 24 at 9-10) (emphasis in original). The time for objecting to that recommendation has expired and no objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the Court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and his recommendation is **ACCEPTED**. The Court **EXPRESSLY FINDS** that this

action is due to be **DISMISSED WITHOUT PREJUDICE**, pursuant to 28 U.S.C. § 1915A(b)(1) and (2), for failing to state a claim upon which relief can be granted, and for asserting monetary claims against a defendant who is immune from such claims. A Final Judgment will be entered.

**DONE** and **ORDERED** this 15th day of December, 2016.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", is written over a horizontal line.

**VIRGINIA EMERSON HOPKINS**  
United States District Judge